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OFFICE OF PETITIONS

In re Application of :
Bruce Bent, et al. :
Application No. 09/677,535 :
Filed: October 2, 2000 :
Attorney Docket No. 049212-0103 :
DECISION GRANTING PETITION
UNDER 37 CFR 1.313(c)(2)

This is a decision on the renewed petition under 37 CFR 1.313(c)(2), filed May 14, 2009, to withdraw the above-identified application from issue after payment of the issue fee.

The petition is **GRANTED**.

The above-identified application is withdrawn from issue for consideration of a submission under 37 CFR 1.114 (request for continued examination). See 37 CFR 1.313(c)(2).

*Petitioner is advised that the issue fee paid on October 14, 2008 cannot be refunded. If, however, this application is again allowed, petitioner may request that it be applied towards the issue fee required by the new Notice of Allowance.*¹

Since the \$130 petition fee for the withdrawal from issues was previously submitted on April 7, 2009, the fee submitted with the petition on May 14, 2009 is considered a duplicate and unnecessary and will be credited to petitioner's deposit account.

Telephone inquiries regarding this decision should be directed to undersigned at (571) 272-1642. All other inquiries regarding the examination of this application should be directed to the Technology Center.

This application is being referred to Technology Center AU 3696 for processing of the request for continued examination under 37 CFR 1.114 and for consideration of the concurrently filed amendment and information disclosure statement.

/AMW/
April M. Wise
Petitions Examiner
Office of Petitions

¹ The request to apply the issue fee to the new Notice may be satisfied by completing and returning the new Part B – Fee(s) Transmittal Form (along with any balance due at the time of submission). Petitioner is advised that the Issue Fee Transmittal Form must be completed and timely submitted to avoid abandonment of the application.